

**MINUTES  
OF  
DISABILITY APPEALS COMMITTEE  
October 31, 2014 at 9:00 A.M. E.T.  
Board Room  
Perimeter Park West, 1270 Louisville Road  
Frankfort, Kentucky 40601**

At the meeting of the Disability Appeals Committee, held on October 31, 2014, the following members were present: Ed Davis, Chair, Mary Helen Peter and Mary Hook, Proxy on behalf of Timothy Longmeyer.

In addition, those present were Becky Stephens, KRS, Liza Welch, KRS, Deborah Crocker, KRS, Carrie Slayton, KRS and Tracy Chambers, Recording Secretary.

\*\*\*\*\*

It was moved by Ms. Hook, seconded by Ms. Peter, and carried to approve the Minutes of the August 28, 2014 Disability Appeals Committee Meeting.

\*\*\*\*\*

Mr. Davis noted the necessity of closed session for the purpose of reviewing the disability applications of Administrative Action Numbers: 13-D-85, 13-D-106, 13-D-49, 13-D-40, 13-D-54, 12-D-47, 13-D-122, 12-D-133, 12-D-77, 13-D-81, 13-D-66, 08-D-67 and 13-D-98.

\*\*\*\*\*

Following discussion in closed session, the Committee returned to open session, whereafter the following transpired.

\*\*\*\*\*

It was moved by Ms. Peter, seconded by Ms. Hook, and carried unanimously, that the Committee members having considered the record, including the recommended order and any exceptions duly filed, in the case of Administrative Action Number: 13-D-85, to accept the Hearing Officer's Report, as modified in the Board of Trustees Final Order, and to deny both the claimant's application for disability retirement benefits and her application for duty-related disability retirement benefits.

\*\*\*\*\*

It was moved by Ms. Hook, seconded by Ms. Peter, and carried unanimously, that the Committee members having considered the record, including the recommended order and any exceptions duly filed, in the case of Administrative Action Number: 13-D-106, to accept the Hearing Officer's Report, Findings of Fact, Conclusions of Law, and to deny claimant's application for disability retirement benefits.

\* \* \* \* \*

It was moved by Ms. Peter, seconded by Ms. Hook, and carried unanimously, that the Committee members having considered the record, including the recommended order and any exceptions duly filed, in the case of Administrative Action Number: 13-D-49, to accept the Hearing Officer's Report, as modified in the Board of Trustees Final Order, and to deny claimant's application for disability retirement benefits.

\* \* \* \* \*

It was moved by Ms. Hook, seconded by Ms. Peter, and carried unanimously, that the Committee members having considered the record, including the recommended order and any exceptions duly filed, in the case of Administrative Action Number: 13-D-40, to accept the Hearing Officer's Report, as modified in the Board of Trustees Final Order, and to deny both the claimant's application for disability retirement benefits and her application for duty-related disability retirement benefits.

\* \* \* \* \*

It was moved by Ms. Peter, seconded by Ms. Hook, and carried unanimously, that the Committee members having considered the record, including the recommended order and any exceptions duly filed, in the case of Administrative Action Number: 13-D-54, to accept the Hearing Officer's Report, Findings of Fact, Conclusions of Law, and to deny claimant's application for disability retirement benefits.

\* \* \* \* \*

It was moved by Ms. Hook, seconded by Ms. Peter, and carried unanimously, that the Committee members having considered the record, including the recommended order and any exceptions duly filed, in the case of Administrative Action Number: 12-D-47, to reject the Hearing Officer's Report to deny disability retirement benefits, and to instead, issue a Board of Trustees Order, approving claimant's application for disability retirement benefits, with a review in one year.

\* \* \* \* \*

It was moved by Ms. Peter, seconded by Ms. Hook, and carried unanimously, that the Committee members having considered the record, including the recommended order and any exceptions duly filed, in the case of Administrative Action Number: 13-D-122, to accept the Hearing Officer's Report, as modified in the Board of Trustees Final Order, and to deny claimant's application for disability retirement benefits.

\* \* \* \* \*

It was moved by Ms. Hook, seconded by Ms. Peter, and carried unanimously, that the Committee members having considered the record, including the recommended order and any exceptions duly filed, in the case of Administrative Action Number: 12-D-133, to remand this case to the hearing officer who is ordered to thoroughly consider and rule on the issue of cumulative effect. The hearing officer shall issue a Recommended Order on Remand that includes his findings on cumulative effect as soon as possible to avoid any further delay to the parties.

\* \* \* \* \*

It was moved by Ms. Peter, seconded by Ms. Hook, and carried unanimously, that the Committee members having considered the record, including the recommended order and any exceptions duly filed, in the case of Administrative Action Number: 12-D-77, to defer this case to the November 25, 2014 meeting.

\* \* \* \* \*

It was moved by Ms. Hook, seconded by Ms. Peter, and carried unanimously, that the Committee members having considered the record, including the recommended order and any exceptions duly filed, in the case of Administrative Action Number: 13-D-81, to remand this case to the hearing officer. This pro se Claimant filed for duty-related disability retirement benefits under KRS 61.621 and submitted documentation of workplace injury. The hearing officer is ordered to consider and rule on the Claimant's eligibility for duty-related disability benefits. Thereafter, a Recommended Order on Remand shall be promptly submitted to avoid any further delay to the parties.

\* \* \* \* \*

It was moved by Ms. Peter, seconded by Ms. Hook, and carried unanimously, that the Committee members having considered the record, including the recommended order and any exceptions duly filed, in the case of Administrative Action Number: 13-D-66, to accept the Hearing Officer's Report, as modified in the Board of Trustees Final Order, and to deny claimant's application for disability retirement benefits.

\* \* \* \* \*

